Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

REVISED 2/6/2020

Part I: Measure Information

Bill Request #: 239 R1
Bill #: HB 142
Document ID #: 1658
Bill Subject/Title: AN ACT prohibiting the payment of public agency funds to any entity that performs, induces, refers for or cousels in favor of abortions.
Sponsor: Representative Lynn Bechler
Unit of Government: X City X County X Urban-County Unified Local X Charter County Y Consolidated Local X Government
X Charter County X Consolidated Local X Government Office(s) Impacted: Local health departments
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Current law at KRS 311.715 prohibits use of public agency funds to obtain or to pay for an abortion. HB 142 would amend KRS 311.715 to prohibit any public agency money, regardless of the original source of the money, going directly or indirectly to any entity or individual that performs, induces, refers for, or counsels in favor of abortions.

HB 142 would not increase expenditures or revenue and **would have no fiscal impact on local government**. Kentucky has 61 local health departments and 51 of those receive additional grants from federal Title X funding for family planning services. The Kentucky Department for Public Health distributes \$5.9 million in federal Title X funds to those 51 local health departments. Currently, local governments fund approximately 34% of local health department costs.

Some requirements within 42 CFR Section 59 are to provide family planning services, referral to a health care provider for medically necessary prenatal care upon confirmation of a pregnancy, and referral arrangements for emergency medical care. One main requirement is that the federal grant recipient must not provide, promote, refer for, or support abortion as a method of family planning.

KRS 311.715 currently states that "nothing in this section shall be deemed to deprive a woman of all appropriate medical care necessary to prevent her physical death." Therefore, there should be no threat of loss of Title X grant funding to local health departments for any referral arrangements provided for emergency medical care, which may include a referral for a possible emergent medically necessary abortion.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II, above, pertains to the bill as introduced.

Data Source(s): Cabinet for Families and Children, Department for Public Health; 42 CFR

Sec. 59

Preparer: Mary Stephens **Reviewer:** KHC **Date:** 2/6/20